

JON NUMAIR  
Executive Director

JUDITH RICHENDIFER  
Employment Programs  
Director



## DEPARTMENT OF LABOR AND EMPLOYMENT

OFFICE OF EMPLOYMENT PROGRAMS  
TWO PARK TOWER, SUITE 400  
1515 ARAPAHOE STREET  
DENVER, CO 80202-2117

COLORADO ONE-STOP SYSTEM POLICY GUIDANCE LETTER 98-02-M1
SUBJECT: Data Access Policy Regarding Assignment of User ID's
DATE: February 26, 1998

### I. **REFERENCE(S):**

Section 303(a)(1), Social Security Act; Section 3(b), Wagner Peyser Act; 20 CFR §652.8(e); Part II Sections 0500-0519, USDOL Employment Security Manual; 8-72-107, CRS

### II. **PURPOSE:**

To ensure that all regions and service delivery points comply with federal and state requirements regarding confidentiality and the release of information.

### III. **BACKGROUND:**

Federal and State requirements are very explicit regarding the need to safeguard confidential information regarding job applicants or employers, and the fact that the information can only be used in the performance of public duties. These requirements cover unemployment insurance information such as wage history, benefit information, and tax information; job order information, such as the individuals referred to a job; and applicant information.

Information can be released to other public agencies such as State or county social service agencies, the local housing authority, the Internal Revenue Service, and to elected public officials in the performance of their public duties. Information can also be released to the individual or employer in question. General or aggregate information that does not identify specific individuals or employers, such as labor market or prevailing wage information can also be released to the general public.

Information regarding a specific individual or employer, or information which would enable someone to identify an applicant or employer, can not be released to anyone, including the person's spouse, without a signed release from the individual. The one exception to this would be the referral of applicants to job openings since permission is an implied part of the request for services. However, applicants should not be given information regarding other applicants referred to the same job order. Nor should employers be given information regarding other employers' job orders or referrals.

**IV. POLICY/ACTION:**

The need to safeguard information also includes the need to control access to the Department's automated systems, track users, and ensure that legal issues are handled appropriately and in a timely manner. Therefore, all regions and service delivery points will ensure that:

- All staff are made aware of, and comply with, the confidentiality provisions of the law.
- Staff who require access to CUBS or ODDS have their own user ID and password, and do not share ID's or passwords.
- User ID's are only requested for their own agency's staff; staff of One-Stop Partners and other outside agencies will be required to initiate a data access agreement with the Department and obtain their own user ID's.
- The Office of Employment and Training Programs is contacted upon receipt of subpoenas and requests for information from attorneys to discuss the issue and determine the most appropriate entity to handle the request.

**V. IMPLEMENTATION DATE:**

Effective immediately.

**VI. INQUIRIES:**

Inquiries concerning this PGL should be addressed to at Marie Valenzuela, (303) 318-8811

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